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NOTE: CHANGES HAVE BEEN
MADE TO THIS DOCUMENT

Attorneys for Plaintiff U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE, ON
BEHALF OF THE HOLDERS OF THE HARBORVIEW MORTGAGE LOAN
TRUST 2006-1 MORTGAGE LOAN PASS-THROUGH CERTIFICATES, SERIES
2006-1 and Third Party Defendant BANK OF AMERICA, N.A.

**UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

U.S. BANK NATIONAL ASSOCIATION,) CASE NO. 8:12-cv-01648-CJC (JPRx)
AS TRUSTEE, ON BEHALF OF THE)
HOLDERS OF THE HARBORVIEW) Hon. Cormac J. Carney
MORTGAGE LOAN TRUST 2006-1)
MORTGAGE LOAN PASS-THROUGH) **JUDGMENT**
CERTIFICATES, SERIES 2006-1)

Plaintiff,) Complaint Filed: September 28, 2012
Trial Date: June 17, 2014

vs.)

ROBBIE A. GATES, et al.,)

Defendants.)

DAVID KANG, an individual; and)
AERI KANG, an individual,)

Counterclaimants,)
vs.)

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U.S. BANK NATIONAL ASSOCIATION,
 AS TRUSTEE, ON BEHALF OF THE
 HOLDERS OF THE HARBORVIEW
 MORTGAGE LOAN TRUST 2006-1
 MORTGAGE LOAN PASS-THROUGH
 CERTIFICATES, SERIES 2006-1;
 all persons unknown, claiming any legal or
 equitable right, title, estate, lien or
 interest in the property described in the
 complaint/counterclaims adverse to
 Counterclaimants' title, or any cloud upon
 Counterclaimants' title, to the property
 commonly known as 1803 Vista Lomitas
 Drive, Fullerton, California; and ROES 1
 through 10, inclusive,
 Counterdefendants.

DAVID KANG, an individual; and
 AERI KANG, an individual,
 Crossclaimants,
 vs.

ROBBIE A. GATES, et al.,
 Crossdefendants.

DAVID KANG, an individual; and
 AERI KANG, an individual,

Third Party Plaintiffs,
 vs.

BANK OF AMERICA, N.A.,
 et al.,

Third Party Defendants.

On April 29, 2014, the Court entered an Order Granting U.S. Bank’s Motion for Summary Judgment and Bank of America’s Motion for Summary Judgment and Denying Defendants’ Motion for Summary Judgment. The Court’s Order made the following rulings:

1. The Court GRANTED Plaintiff and Counter-Defendant U.S. Bank National Association, As Trustee, On Behalf Of The Holders Of The Harborview Mortgage Loan Trust 2006-1 Mortgage Loan Pass-Through Certificates, Series 2006-1’s (“U.S. Bank”) Motion for Summary Judgment for the causes of action for: (1) cancellation of instruments (First Cause of Action), (2) declaratory relief (Second Cause of Action); and, (3) to quiet title (Third Cause of Action) against Defendants and Counter-Claimants David and Aeri Kang (the “Kangs”), Defendants Robbie A. Gates and Joe L. Gates (together, the “Gates”); and Defendants Dennis Bell and Cherri English. The Court also GRANTED U.S. Bank’s Motion for Summary Judgment on all counterclaims asserted by the Kangs: (1) to quiet title (First Counterclaim); (2) declaratory relief (Second Counterclaim); (3) cancellation of instruments (Third Counterclaim); and, (4) “good faith improver” (Fourth Counterclaim).

2. The Court GRANTED Cross-Defendant Bank of America, N.A.’s (“Bank of America”) Motion for Summary Judgment on each of the Kangs’ cross-claims against Bank of America for: (1) quiet title (First Cause of Action), (2) declaratory relief (Second Cause of Action); and, (3) and cancellation of instruments (Third Cause of Action).

3. The Court DENIED the Kangs’ Motion for Summary Judgment in its entirety as against U.S. Bank and Bank of America.

The evidence presented having been fully considered, the issues having been duly heard and a decision having been duly rendered, the Court hereby enters JUDGMENT in favor of U.S. Bank on its claims to quiet title, for declaratory relief and cancellation of instruments and on all counterclaims asserted against U.S. Bank

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1 by the Kangs.

2 The Court also enters JUDGMENT in favor of Bank of America on all cross-
3 claims asserted by the Kangs against Bank of America.

4 **IT IS FURTHER ORDERED AND ADJUDGED** that:

5 1. The “Substitution of Trustee and Full Reconveyance” recorded on May
6 27, 2010 in the Official Records of Orange County, California as document number
7 2010000251009 is *void ab initio*. This document is hereby cancelled and expunged
8 from the title records in the Official Records of Orange County.

9 2. U.S. Bank’s lien interest in the real property located at 1803 Vista
10 Lomitas Drive, Fullerton, California 92831 (the “Property”), as secured by the Deed
11 of Trust recorded on January 9, 2006 in the Official Records of Orange County,
12 California as document numbers 2006000017065, remains viable, enforceable, and
13 superior to all other liens on the Property.

14 3. The Kangs’ possession and ownership of the Property is subordinate to
15 the Deed of Trust recorded on January 9, 2006 in the Official Records of Orange
16 County, California as document numbers 2006000017065.

17
18 Dated: May 22, 2014



Honorable Cormac J. Carney
United States District Court Judge
For the Central District of California